March 6, 2020

SUSAN CARLSON, VICE PROVOST
ACADEMIC PERSONNEL

Re: Proposed Revised APM Sections 240 (Deans) and 246 (Faculty administrators)

Dear Susan,

As you requested, I distributed for systemwide Senate review proposed revisions to APM 240 (Deans) and APM 246 (Faculty administrators). Nine Academic Senate divisions (UCB, UCD, UCLA, UCM, UCR, UCSB, UCSC, UCSD, and UCSF) and one systemwide committee (UCFW) submitted comments. These comments were discussed at Academic Council’s February 26, 2020 meeting and are attached for your reference.

We understand that the proposed revisions are intended to clarify that both uncompensated and compensated outside professional activities are reported and count toward the time limit for those activities, but that vacation days are deducted only for compensated activities. The revisions also clarify that deans and faculty administrators who hold concurrent Health Sciences Compensation Plan appointments are subject to APM 670 and APM 671, and that because deans’ and faculty administrators’ salaries should be greater than the underlying faculty appointment, to refer to the salary of the underlying appointment. Additional technical revisions remove gendered language, add clarity, and correct grammatical errors.

The Academic Council understands the policy to be an important element of compliance and risk management, and appreciates the effort to set systemwide consistency across the titles, to increase clarity of terms, and to remove gendered language. Council also endorses several reviewer suggestions to further improve clarity. These include suggestions to provide a list of examples of “uncompensated activity”; clarify the distinction between deans and faculty administrators in terms of Senate oversight; clarify whether language that refers to a maximum of 21 to 48 calendar days of compensated and uncompensated outside professional activity represents a range or a fixed number; and reconsider language suggesting that deans are “positioned uniquely to serve as senior scholarly and professional leaders” and therefore deserve higher salaries.

Thank you very much for the opportunity to opine. Please do not hesitate to contact me if you have additional questions.

Sincerely,
Kum-Kum Bhavnani, Chair
Academic Council
cc: Academic Council
    Senate Directors
February 19, 2020

KUM-KUM BHAVNANI
Chair, Academic Council

Subject: Comments on the Proposed Revisions to Academic Personnel Manual Section 240 (Deans) and Section 246 (Faculty Administrators)

Dear Kum-Kum,

On February 10, 2020, the Divisional Council (DIVCO) of the Berkeley Division discussed the proposed revisions to the Academic Personnel Manual Section 240 and Section 246 and expressed no objections to the revised policy.

DIVCO recommends that added clarity is needed in the area of “uncompensated activity,” and suggests that a catalogue or a list of examples be provided. In addition, there needs to be clearer guidance regarding serving on foreign committees since fiduciary responsibilities may be involved.

Thank you for the opportunity to comment. If you have any questions, please don’t hesitate to contact me.

Sincerely,

Oliver O’Reilly
Chair, Berkeley Division of the Academic Senate
Professor of Mechanical Engineering
February 18, 2020

Kum-Kum Bhavnani  
Chair, Academic Council

RE: Proposed Revisions to APM 240 (Deans) and 246 (Faculty Administrators)

Dear Kum-Kum:

The proposed revisions to APM 240 and 246 were forwarded to all standing committees of the Davis Division of the Academic Senate. Four committees responded: Academic Personnel Oversight (CAP), Faculty Welfare, Planning and Budget (CPB), and the Faculty Executive Committee of the College of Letters and Science (L&S).

Committees have no concerns with the revisions. The Davis Division appreciates the opportunity to comment.

Sincerely,

Kristin H. Lagattuta, Ph.D.  
Chair, Davis Division of the Academic Senate  
Professor, Department of Psychology and Center for Mind and Brain

Enclosed: Davis Division Committee Responses

c: Hilary Baxter, Executive Director, Systemwide Academic Senate  
   Michael LaBriola, Assistant Director, Systemwide Academic Senate  
   Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate
February 19, 2020

Kum-Kum Bhavnani
Systemwide Academic Senate Chair

Re: Proposed Revisions to APM 240 (Deans) and APM 246 (Faculty administrators)

Dear Chair Bhavnani,

Thank you for providing the Academic Senate with the opportunity to comment on the proposed revisions to APM 240 (Deans) and APM 246 (Faculty administrators).

The Executive Board of the UCLA Academic Senate concluded the redline changes seem appropriate in intent and effect. Members appreciated the increased clarity of terms and the effort to remove gendered language.

However, members wished to bring attention to two assumptions that underlay APM 240. The first, in Section 18-Salary declared that “Deans are positioned uniquely within the University system to serve as senior scholarly and professional leaders.” Members expressed skepticism about that claim. Although it is true that by definition Deans are positioned to be administrative leaders it is unclear why the University would assume that they would be more apt to be “senior scholarly and professional leaders” than professors who remain focused on scholarship or devote their attention to professional societies. This claim is joined in both APM 240 and 246 with the declaration that administrative faculty should of necessity receive greater salaries. These twinned assumptions left members worried that the University was implicitly telling faculty that an administrative career was the primary way in which an individual could achieve stature and financial compensation at UC. The effect would be to send a message, unintentionally we are sure, that in the University administrators are a superior class. We hope that at its next revision, the University will reconsider this language.

Once again, we appreciate the opportunity to opine on this issue. As is the Divisional practice, we have appended all of the committee responses we received prior to the deadline to submit our response.
Sincerely,

Michael Meranze  
Chair, UCLA Academic Senate

Encl.  CPB to EBRevisions to APM 240 24613120.pdf

Cc:  Hilary Baxter, Executive Director, Systemwide Academic Senate  
     Joseph Bristow, Immediate Past Chair, UCLA Academic Senate  
     April de Stefano, Executive Director, UCLA Academic Senate  
     Mary Gauvain, Vice Chair, Systemwide Academic Senate  
     Michael LaBriola, Assistant Director, Systemwide Academic Senate  
     Shane White, Vice Chair/Chair Elect, UCLA Academic Senate
January 31, 2020

Michael Meranze, Chair
Academic Senate

Re: Proposed Revisions to the Academic Personnel Manual, Section 240, Deans, and Section 246, Faculty Administrators

Dear Professor Meranze,

At its January 27, 2020 meeting, the Council on Planning and Budget (CPB) reviewed the Proposed Revisions to the Academic Personnel Manual Sections 240, Deans, and 246, Faculty Administrators.

Members had no comments on the proposed revisions.

Thank you for the opportunity to review. If you have any questions for us, please do not hesitate to contact me at mcgarry@ucla.edu or via the Council’s analyst, Elizabeth Feller, at efeller@senate.ucla.edu or x62470.

Sincerely,

Kathleen McGarry, Chair
Council on Planning and Budget

cc: Evelyn Blumenberg, Vice Chair, Council on Planning and Budget
Joseph Bristow, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Elizabeth Feller, Analyst, Council on Planning and Budget
Shane White, Vice Chair/Chair-Elect, Academic Senate
Members of the Council on Planning and Budget
FEBRUARY 4, 2020

KUM-KUM BHAVNANI, CHAIR, ACADEMIC COUNCIL

RE: PROPOSED REVISIONS TO APM SECTIONS 240, DEANS, AND 246, FACULTY ADMINISTRATORS

Dear Chair Bhavnani:

The proposed revisions to APM Sections 240 and 246 were distributed for comment to the Committee on Academic Personnel (CAP). The committee declined to comment.

On February 3, 2020 members of the Divisional Council were invited to share their thoughts on the proposed revisions. No concerns were raised.

The Merced Division has no comments on the proposed revisions and thanks you for the opportunity to opine.

Sincerely,

Tom Hansford
Chair, Divisional Council

CC: Divisional Council
    Hilary Baxter, Executive Director, Systemwide Academic Senate
    Fatima Paul, Interim Executive Director, Merced Senate Office

Encl (1)
February 18, 2020

Kum-Kum Bhavnani, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE:  (Systemwide Senate Review) Proposed Revisions to Academic Personnel Manual (APM) Sections 240 and 246

Dear Kum-Kum,

The UCR Division’s Executive Council affirms the existing standing committee responses and chooses not to add additional comment. The full Divisional review yielded a few questions for clarification, but otherwise did not result in major concerns. The Committee on Faculty Welfare is requesting clarification on the language in Section 20-c-3 regarding “maximum” calendar days of outside professional activity. The Faculty Executive Committee of the College of Humanities and Social Sciences made a number of comments regarding APM 240-80, section b, APM Section 246-4, section c, and APM Section 246-80 Review Procedures. It also raises a question about possible inconsistencies in faculty appointments to administrative positions. Other committee reviews did not result in substantive input.

I trust this review will be helpful to the consideration of these proposed revisions.

Sincerely yours,

Dylan Rodríguez
Professor of Media & Cultural Studies and Chair of the Riverside Division

CC: Hilary Baxter, Executive Director of the Academic Senate
Cherysa Cortez, Executive Director of UCR Academic Senate Office
January 30, 2020

To: Dylan Rodriguez, Chair
   Riverside Division of the Academic Senate

From: Dmitri Maslov, Chair
       Committee on Academic Freedom (CAF)

Re: Proposed Revisions to Academic Personnel Manual (APM): *APM Sections 240 and 246*


The Committee regards this proposal as acceptable. The proposed changes do not raise any academic freedom issues.

On a side note, some committee members find that the language of the section 240-20 c (3) "Outside Professional Activities" might need to include a clear indication that the referred compensation for such activities represents a compensation from outside sources and not a university salary.
January 9, 2020

To: Dylan Rodriguez  
Riverside Division Academic Senate

From: Sherryl Vint, Chair  
Committee on Academic Personnel

Re: Proposed Revisions to Academic Personnel Manual (APM): APM Sections 240 (Deans) and 246 (Administrators 100% Time)

CAP reviewed the proposed revisions to the Academic Personnel Manual Section 240 – Deans and Section 246 – Faculty Administrators (100% Time) and has no substantial comments to offer.
January 31, 2020

To:    Dylan Rodriguez, Chair
       Riverside Division

From:  Lucille Chia, Chair  
       CHASS Executive Committee

RE:    Proposed Revisions to Academic Personnel Manual (APM): APM Sections 240 and 246

The CHASS Executive Committee discussed the Proposed Revisions to Academic Personnel Manual (APM): APM Sections 240 and 246 at the regular meeting on January 15, 2020. The CHASS Executive Committee offers the following comments:

1. **APM 240-80, section b**
   
   --“Five-Year Review and Reappointment” (p. 9 of this part, p. 21 of the entire pdf) does NOT mention the need for a five-year review of deans who are leaving their positions. It would be beneficial for the university to have a five-year review of deans who are leaving their posts.
   
   --Are the annual and five-year reviews of the Deans considered part of their personnel files and thus confidential? This poses a problem in that it deprives the Senate or any other group of the university of useful information about the governance of the school.
   
   --in part (2): Suggest adding to part (2) that “The Chancellor shall develop with consultation with the Senate the criteria and procedures for conducting five-year Faculty Administrative reviews.”
   
   --in part (3): How would the Senate or any other group of the university understand fully whether or not the Dean’s overall performance is judged as “distinguished” or “highly meritorious”?

2. **APM Section 246-4, Section C**: What does it mean that the Chancellor can designate additional eligible titles as appropriate? Examples?

3. **APM Section 246-80 Review Procedures**
   
   --Are the annual and five-year reviews of the Faculty Administrators considered part of their personnel files and thus confidential? This poses a problem in that it deprives the Senate or any other group of the university of useful information about the governance of the school.
   
   --Part b. Five-Year Review and Reappointment: Suggest that all Faculty Administrators, including those leaving their posts (and not just those up for reappointment) go through a Five-Year
Review, again because such a review, which should be made public, would contain useful information about the governance of the school.

--Suggest adding to part (2) that “The Chancellor shall develop with consultation with the Senate the criteria and procedures for conducting five-year Faculty Administrative reviews.”

4. The Committee also wonders about possible inconsistencies in the appointments of faculty members to administrative positions. APM 246 applies only to Faculty Administrators who have a 100% appointment, but not to faculty members who have appointments less than 100%. One observation of the Committee is that although the percentage of the appointment may vary, it seems that the duties/work load did not. We would appreciate an explanation for these variations.
January 30, 2020

To: Dylan Rodriguez
Riverside Division Academic Senate

From: Abhijit Ghosh, Chair
Committee on Faculty Welfare

Re: Proposed Revisions to Academic Personnel Manual (APM): APM Sections 240 and 246

A specific ‘Conditions of Employment’ as written in both APMs is not clear to the CFW. Section 20-c-3 says, “…a Faculty Administrator who has a concurrent Health Sciences Compensation Plan appointment may in each fiscal year engage in a maximum of twenty-one (21) to forty-eight (48) calendar days of compensated and uncompensated outside professional activity…”. We seek clarification as to what is the maximum number of calendar days of compensated and uncompensated outside professional activity are allowed? Is it one or two fixed numbers? Or a range? The language makes it ambiguous.
January 31, 2020

Professor Kum-Kum Bhavnani  
Chair, Academic Senate  
University of California  
1111 Franklin Street, 12th Floor  
Oakland, CA 94607

Re: Proposed Revisions to APM 240, Deans and APM 246, Administrators

Dear Professor Bhavnani:

The proposed revisions to APM 240, Deans and APM 246, Administrators were circulated to standing Senate committees for review. Responses were received from the Divisional committees on Academic Personnel (CAP) and Faculty Welfare (CFW) and the proposed revisions and committee responses were discussed at the Divisional Senate Council meeting on January 27, 2020. Senate Council unanimously endorsed the revisions to APM 240, Deans and APM 246, Administrators.

Sincerely,

Maripat Corr, Chair  
San Diego Divisional Academic Senate

Cc: Steven Constable, Vice Chair, San Diego Divisional Academic Senate  
Ray Rodriguez, Director, San Diego Divisional Academic Senate  
Hilary Baxter, Executive Director, Systemwide Academic Senate
February 14, 2019

Kum-Kum Bhavnani, PhD
Chair, Academic Council
Systemwide Academic Senate
University of California Office of the President
1111 Franklin St., 12th Floor
Oakland, CA 94607-5200

Re: Proposed revisions to APM 240 (Deans) and APM 246 (Faculty administrators)

Dear Kum-Kum:

Our Committee on Research reviewed and commented on the Proposed revisions to APM 240 (Deans) and APM 246 (Faculty administrators).

- Committee on Research expressed support for the substantive revisions adding language regarding uncompensated outside professional activities as they relate to University ethics and compliance and risk management.

Sincerely,

Sharmila Majumdar, PhD, 2019-21 Chair
UCSF Academic Senate

Enclosures (1)
Cc: Lea Grinberg, MD, PhD
February 12, 2020

Professor Sharmila Majumdar, PhD
Chair, UCSF Academic Senate

RE: Proposed revisions to APM 240 (Deans) and APM 246 (Faculty administrators)

Dear Chair Majumdar,

Risk management and risk controls within UC are essential functions that protect the University and its ability to continue serving its triple mission to the State of California. They require, by definition, careful balancing of competing concerns and interests against potential for ethics and compliance violations.

Deans and Faculty Administrators, much like university faculty, have many opportunities to engage in outside professional activities. Those external commitments have the potential to at once enrich the individual and advance the University’s interests. However, they also have the potential to embarrass the University and cause it legal liability and financial loss. Moreover, outside professional activities can compete for the time and effort of individuals who have a primary professional commitment to the University. Therefore, it is necessary to manage and control risks associated with outside professional activities. Revisions to APM 240 and APM 246 propose to do exactly that.

Mandatory disclosure of both compensated and uncompensated outside professional activity has minimal administrative burden and promotes oversight.

Limits on the number of days a Dean or Faculty Administrator can engage in such activity reinforce their primary commitment to the University.

We support the proposed revisions.

Sincerely,

Lea Tenenholz Grinberg, MD, PhD
Chair, Committee on Research
UCSF Academic Senate
2019-2020
February 18, 2020

To: Kum-Kum Bhavnani, Chair  
   Academic Council

From: Henning Bohn, Chair  
   Academic Senate

Re: Systemwide Review of Proposed Revisions to APM 240, Deans, and APM 246, Faculty Administrators (100% time)

The Santa Barbara Division delegated the review of proposed revisions to APM 240 and 246 to its Committee on Academic Personnel, Council on Faculty Welfare, Academic Freedom and Awards (CFW), and Council on Planning and Budget (CPB).

CPB reported that its members raised no objections when discussing the proposed changes. CAP and CFW chose not to opine.

Note, however, that the proposed revisions do not address a striking inequity between administrators and faculty. Whereas Deans and Faculty Administrators are eligible for merit review every year, faculty are eligible only after several years of meritorious service.
February 18, 2019

Kum-Kum Bhavnani, Chair
Academic Council

Re: Systemwide Review of Proposed Revisions to Academic Personnel Manual (APM), Section 240 – Deans, and Section 246 – Faculty Administrators (100% time)

Dear Chair Bhavnani,

The Santa Cruz Division of the Academic Senate has completed its review of the proposed revisions to Academic Personnel Manual (APM), Section 240 – Deans, and Section 246 – Faculty Administrators (100% time). The Committees on Faculty Welfare (CFW) and Planning and Budget (CPB) have elected to respond. The committees joined in their assessment that the proposed changes presented no issues of obvious conflict with existing Senate policy. The comments were limited to minor editorial issues (CPB) and one from CFW related to, but not covered by, the policy being reviewed.

CFW notes that the policy does not address the distinctions between deans and faculty administrators. The committee observed that faculty administrators are subject to less oversight than divisional deans. As an example, any change to a dean’s salary must be reviewed and approved by the Executive Vice Chancellor. The committee noted that this is not the case for faculty administrators and suggested that perhaps an advisory review committee would help to increase transparency and interaction with the Senate.

CPB offered the following editorial comments:

- For item (1) on p. 6: It would probably be clearer, and would be consistent with parallel language on P5 Section 246, to insert “that are” before “not entities”, i.e., “that are not entities...”.

- For item (4) on p. 8: Perhaps the adverb “immediately” rather than the adjective “immediate”?
I enclose both committee responses here should they prove helpful, particularly in terms of CFW’s points about the difference between deans and other faculty administrators. On behalf of the Santa Cruz Division of the Academic Senate, I would like to thank Provost Carlson for the opportunity to comment on this policy.

Sincerely,

Kimberly Lau, Chair

Academic Senate, Santa Cruz Division

Cc:  Grant McGuire, Chair, Committee on Faculty Welfare  
     Bruce Schumm, Chair, Committee on Planning and Budget
Kimberly Lau, Chair  
Academic Senate  

RE: Systemwide Review of Proposed Revisions to APM Sections 240, 246  

Dear Kim,  

At its meeting of January 16, 2020, the Committee on Planning and Budget (CPB) reviewed proposed revisions to Academic Personnel Manual (APM) Sections 240 (Deans), and 246 (Faculty Administrators). Proposed revisions were intended to align with previous revisions of APM 025 (Conflict of Commitment and Outside Activities of Faculty Members), to clarify that Deans and Faculty Administrators who hold concurrent Health Sciences Compensation Plan appointments are subject to APM 670, to revise language to refer to the salary of the underlying faculty appointment, along with other editorial corrections.

CPB found no issues and has no substantive comments on the proposed revisions. CPB had two minor editing suggestions to Section 240 as follows:

For item (1) on P6: It would probably be more clear, and would be consistent with parallel language on P5 Section 246, to insert “that are” before “not entities”, i.e., “that are not entities...”.

For item (4) on P8: Perhaps the adverb “immediately” rather than the adjective “immediate”?

Sincerely,

Bruce Schumm, Chair  
Committee on Planning and Budget  

cc:   CFW Chair McGuire  
P&T Chair Guthman
February 11, 2020

Kimberly Lau, Chair
Academic Senate, Santa Cruz Division

Re: Systemwide Review of Proposed Revisions to Academic Personnel Manual (APM), Section 240 – Deans, and Section 246 – Faculty Administrators (100% time)

Dear Kim,

During its meeting of December 5, 2019, the Committee on Faculty Welfare (CFW) reviewed the proposed revisions to Academic Personnel Manual (APM), Sections 240 and 246. Many of the proposed changes are intended to promote greater consistency between the way that Senate members are compensated while serving as higher administrators (e.g., deans or provosts) and the way that they would be compensated in their underlying faculty appointments. The proposed changes either grant precedence to underlying Senate status or create no obvious conflict. Many of the changes make reference to health scientists and thus do not apply to UCSC.

In the current environment where there is a serious concern of an over-proliferation of administrative positions, members noted several issues not narrowly part of the proposed changes that relate to the divide between deans and faculty administrators. There are several points where faculty administrators have less oversight than deans, which is potentially problematic in our shared-governance model. Deans are closer to the teaching mission of the University and consequently the Academic Senate is more involved, yet administrators have limited consultation with the Academic Senate. Additionally, the Chancellor must inform the EVC about changes in salary for deans, but not for administrators. Members note that an advisory review committee for such appointments and/or some type of consultation with the Senate would enhance the transparency of the process and align it more closely with similar academic positions.

Further, with respect to deans and the likelihood and disruptiveness of high turnover in these positions, CFW believes deans should be reviewed more frequently than the current five year cycle to increase accountability.

Thank you for the opportunity to opine.

Sincerely,

Grant McGuire, Chair
Committee on Faculty Welfare
cc: Lynn Westerkamp, Chair, Committee on Academic Personnel
    Bruce Schumm, Chair, Committee on Planning and Budget
    Julie Guthman, Chair, Privilege and Tenure
UNIVERSITY COMMITTEE ON FACULTY WELFARE (UCFW)
Jean-Daniel Saphores, Chair
saphores@uci.edu

KUM-KUM BHAVNANI, CHAIR
ACADEMIC COUNCIL

RE: Proposed Revisions to APM 240 (Deans) and APM 246 (Faculty Administrators)

Dear Kum-Kum,

The University Committee on Faculty Welfare (UCFW) has reviewed the proposed revisions to APM 240 (Deans) and APM 246 (Faculty Administrators), and we support this effort to set systemwide consistency for pay and compensation across these titles.

Sincerely,

Jean-Daniel Saphores, UCFW Chair

Copy: UCFW
Hilary Baxter, Executive Director, Academic Senate

February 20, 2020